

UNITED STATES DISTRICT COURT

District of Nebraska
111 S. 18th Plaza, Suite 3259
Omaha, Nebraska 68102-1322

Joseph F. Bataillon
Senior United States District Judge

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August 8, 2024

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RE: *Heft v. State Farm Mutual Automobile Insurance Company*, 8:22cv266

Counsel,

I have reviewed the evidence submitted by the parties in relation to the defendant's motion for summary judgment, which includes Filing No. 45 and corresponding attachments 1–5.

The evidence index lists the depositions of the plaintiff and all the witnesses to the accident. However, the plaintiff's deposition is not included in the filing. In its place is a duplicate deposition of James Duran. My staff has unsuccessfully attempted to correct this problem. As a result, I am asking you, directly, to resolve this problem. Either the plaintiff's deposition is part of the evidence, or it isn't. If the plaintiff's deposition is not filed by close of business Monday, August 12, 2024, the Court will consider the record closed and proceed accordingly.

Yours truly,

A handwritten signature in black ink, appearing to read 'JF Bataillon', with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge